



# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC HEALTH

### TESTIMONY PRESENTED BEFORE THE PLANNING AND DEVELOPMENT COMMITTEE February 18, 2011

*Ellen Blaschinski, Branch Chief, Regulatory Services Branch, 860 509-8171*

#### *House Bill 5473 - An Act Requiring the Inspection of Septic Systems*

The Department of Public Health provides the following information with regard to House Bill 5473.

The proposed legislation would require the inspection of a building's septic system prior to the sale of the building. Such a requirement would help identify failing or malfunctioning septic systems. Although Connecticut has not required an evaluation of a building's septic system at the time of property sale, a limited system assessment is typically performed at the request of the home buyer or lending institution. These voluntary septic system inspections typically consist of a pump-out of the septic tank by an individual licensed by the Department of Public Health (DPH). Septic system cleaners and installers licensed by DPH are the only individuals that can pump septic tanks and they are required to inspect the tank baffles and document signs of system failure or malfunction. Some lending institutions also require replacement of antiquated sewage disposal systems and components such as cesspools or steel septic tanks in order to secure financing.

The Department of Consumer Protection (DCP) licenses Home Inspectors; however such inspectors typically do not perform a meaningful evaluation of a building's septic system. Neither the DCP nor DPH licenses septic system inspectors. However, DPH certifies local health agents that perform administrative functions related to the construction of septic systems; and the functions include the inspection of systems at the time of installation.

In order to determine the Department's position on the proposed legislation, additional detail is needed regarding the intent of the septic system inspections. When determining final language for this bill, the following should be taken into consideration:

- Would the inspection essentially be a tank pump-out and assessment, or would a more invasive site investigation (i.e., soil testing) and evaluation of the entire system including the leaching system be performed?
- Other states that require septic system inspections in conjunction with real estate transactions, have established inspection protocols, and inspector certification or licensure programs.
- A mandate for DPH to adopt regulations governing septic system inspections for real estate transactions, or a licensure program for such inspectors would require a resource allocation.

Thank you for your consideration of the Department's views on this bill.

*Phone: (860) 509-7269, Fax: (860) 509-7100  
Telephone Device for the Deaf (860) 509-7191  
410 Capitol Avenue - MS # 13GRE  
P.O. Box 340308 Hartford, CT 06134  
An Equal Opportunity Employer*